

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES***

Appellant: Craig C. MATEER  
Title: SYSTEM AND METHOD FOR REMOTE  
PASSENGER AND BAGGAGE CHECK-IN  
Appl. No.: 10/689,873  
Filing Date: 10/21/2003  
Examiner: Khoi H. Tran  
Art Unit: 3651  
Confirmation Number: 3347

**BRIEF ON APPEAL**

Mail Stop Appeal Brief - Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner Tran:

This Appeal Brief is being filed in response to a Notification of Non-Compliant Appeal Brief mailed April 18, 2007, providing a one-month period for reply. As a result, the submission of this corrected Appeal Brief is timely filed. Under the provisions of 37 C.F.R. § 41.37, this Appeal Brief was originally filed in response to the final Office Action dated September 1, 2006, finally rejecting Claims 21-31 and 33-40 of the above-referenced patent application (Application). Appellant does not believe that a fee is due for this filing. However, if a fee is deemed to be due, the Commissioner is hereby authorized to charge any fees which may be required for this Appeal Brief, including but not limited to fees for an extension of time under 37 C.F.R. §§ 1.136(a), or credit any overpayment, to Deposit Account No. 50-2350.

Appellant respectfully requests reconsideration of the Application.

**REAL PARTY IN INTEREST**

The real party in interest is Craig C. Mateer, having a residence at 4932 Oak Island Road, Orlando, Florida, 32809.

**RELATED APPEALS AND INTERFERENCES**

There are no related appeals or interferences that will directly affect, be directly affected by, or have a bearing on the present appeal, that are known to Appellant or Appellant's patent representative.

**STATUS OF CLAIMS**

Claims 1-20 and 32 have been cancelled. Claims 21-31 and 33-40 are pending. The present appeal is directed to Claims 21-31 and 33-40, all of which stand rejected pursuant to a Final Office Action dated September 1, 2006. Claims 21-31 and 33-40 are being appealed. Claims 1-40 with the appropriate status reference are shown in the attached Claims Appendix.

**STATUS OF AMENDMENTS**

Claims 21-31 and 33-40 were pending in the Application when a Final Office Action dated September 1, 2006, was issued. No amendments have been made in the present Application subsequent to receipt of the final Office Action dated September 1, 2006. A Notice of Appeal was filed on November 1, 2006, and received by the PTO on November 7, 2006.

**SUMMARY OF CLAIMED SUBJECT MATTER**

Three independent claims, Claims 21, 29, and 33, are under appeal. Claim 21 is directed to a method for managing the transportation of baggage for passengers of a common carrier. The method includes the operations of providing a baggage transportation service at a remote property (page 2, lines 20-32; para. [0023]; FIG. 3) and of providing an outsourcing arrangement for an employee at the remote property to perform both a first service associated with the baggage transportation service and a second service associated with an operation at

the remote property (page 3, lines 33-47; para. [0028]; FIG. 3). The remote property is remote from a transportation center. The second service is distinct from the first service. The baggage transportation service includes receiving travel information for a passenger at the remote property via a communications network (page 2, lines 46-48; para. [0025]; block 26, FIG. 1). The travel information includes departure information for a departure from the transportation center (page 2, lines 42-44; para. [0024]; block 25, FIG. 1). The baggage transportation service further includes producing identification including the received departure information for baggage of the passenger (page 2, lines 27-32; para. [0023]; block 23, FIG. 1) and transporting the baggage to the transportation center (page 3, lines 9-12; para. [0027]; FIG. 2).

Claim 29 is directed to a computer-based baggage transportation system. The computer-based baggage transportation system includes a server computer (page 3, lines 57-60; para. [0030]; 102, FIG. 4), a client computer coupled via a network to the server computer (page 3, lines 60-64; para. [0030]; 106 and/or 108, FIG. 4), and a baggage pick-up facility (page 3, lines 33-36; para. [0028]). The server computer includes travel information for a plurality of common carriers (page 3, lines 33-36; para. [0028]). The client computer is configured to check in baggage and passengers from a property that is remote from a common carrier departure location (page 3, lines 64-29; para. [0030]-[0032]). The baggage pick-up facility is at the remote property for performing a baggage transportation service (page 3, lines 9-31; para. [0027]). Associated with the baggage transportation service is an outsourcing arrangement for an employee at the remote property to perform both a first service associated with the baggage transportation service and a second service associated with an operation at the remote property, the second service distinct from the first (page 3, lines 36-47; page 4, lines 9-14; paras. [0028], [0036]; FIG. 3).

Claim 33 is directed to a remote baggage and passenger check-in system. The remote baggage and passenger check-in system includes obtaining passenger identification

information for a passenger (page 2, lines 27-32; page 3, lines 23-26; paras. [0023], [0032]; block 23, FIG. 1); using the passenger identification information, retrieving travel information for the passenger from a server computer (page 2, lines 46-49; para. [0025]; blocks 26 and 27, FIG. 1); printing a boarding pass for the passenger based on the retrieved travel information (page 2, lines 49-51; para. [0025]; block 28, FIG. 1); printing a baggage identification label for passenger baggage at a property remote from a common carrier departure location (page 2, lines 51-54; para. [0025]; block 29, FIG. 1); obtaining possession of the passenger baggage from the passenger at the remote property to conduct a baggage transportation service (paras. page 2, lines 60-67; page 3, lines 29-32; [0026], [0032]; block 32, FIGs. 1-2), wherein associated with the baggage transportation service is an outsourcing arrangement for an employee at the remote property to perform both a first service associated with the baggage transportation service and a second service associated with an operation at the remote property, the second service distinct from the first service (page 3, lines 36-47; page 4, lines 9-14; paras. [0028], [0036]; FIG. 3); securely transporting the passenger baggage from the remote property to the common carrier departure location (page 3, lines 9-29; para. [0027]; blocks 50-58, FIG. 2); and transferring possession of the passenger baggage to the common carrier (page 3, lines 28-30; para. [0027]; block 59, FIG. 2).

**GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

Two grounds of rejection are presented in this appeal: Claims 21-23 and 26-31 were finally rejected under 35 U.S.C. 102(b) as being anticipated by Purnell and Quackenbush, Design and Develop Airport Security Systems and Related Applications (Purnell et al.). Claims 24 and 33-40 were finally rejected under 35 U.S.C. 103(a) as being unpatentable over Purnell et al.

ARGUMENTI. **LEGAL STANDARDS**A. **Standard under 35 U.S.C. 102(b)**

35 U.S.C. § 102(b) provides that "a person shall be entitled to a patent unless ... the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States."

Because there are many ways in which a reference may be disseminated to the interested public, "public accessibility" has been called the touchstone in determining whether a reference constitutes a "printed publication" bar under 35 U.S.C. § 102(b). .... The proponent of the publication bar must show that prior to the critical date the reference was sufficiently accessible, at least to the public interested in the art, so that such a one by examining the reference could make the claimed invention without further research or experimentation.

*In re Hall*, 781 F.2d 897, 898-99, 228 U.S.P.Q. 453, 455 (Fed. Cir. 1986) (citations omitted).

A prior art reference, as defined by 35 U.S.C. 102, is said to "anticipate" a claimed invention if each and every element of the claimed invention is disclosed, either expressly or inherently, in the prior art reference. *In re Spada*, 911 F.2d 705, 708, 15 U.S.P.Q.2d 1655, 1657 (Fed. Cir. 1990). In deciding the issue of anticipation, one must identify the elements of the claims, determine their meaning in light of the specification and prosecution history, and identify corresponding elements disclosed in the allegedly anticipating reference. *Lindemann Maschinenfabrik v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1458, 221 U.S.P.Q. 481, 485-86 (Fed. Cir. 1984).

The Federal Circuit explained the requirements for anticipation in *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983), by stating:

The law of anticipation does not require that the reference "teach" what the subject patent teaches. Assuming that a reference is properly "prior art," it is only necessary that the claims under

attack, as construed by the court, "read on" something disclosed in the reference, i.e., all limitations of the claim are found in the reference, or "fully met" by it.

*Id.* at 772, 218 U.S.P.Q. at 789.

Extrinsic evidence from those skilled in the art can be used to explain, but not to expand the meaning of a disclosed element in that single prior art reference, to determine whether the reference anticipates the claims at issue. *In re Baxter Travenol Labs.*, 952 F.2d 388, 21 U.S.P.Q.2d 1281 (Fed. Cir. 1991).

#### **B. Standard under 35 U.S.C. 103(a)**

35 U.S.C. 103(a) states:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The legal standards under 35 U.S.C. 103(a) are well-settled. Obviousness under 35 U.S.C. 103(a) involves four factual inquiries: (1) the scope and content of the prior art; (2) the differences between the claims and the prior art; (3) the level of ordinary skill in the pertinent art; and (4) secondary considerations, if any, of nonobviousness. See *Graham v. John Deere Co.*, 383 U.S. 1 (1966).

In proceedings before the Patent and Trademark Office, the Examiner bears the burden of establishing a *prima facie* case of obviousness based upon the prior art. *In re Piasecki*, 745 F.2d 1468, 1471-72 (Fed. Cir. 1984). To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. The teaching or suggestion to make the

claimed combination and the reasonable expectation of success both must be found in the prior art, not in Appellant's disclosure. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991). Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.

## II. REJECTION OF CLAIMS 21-23 and 26-31 UNDER 35 U.S.C. 102(b)

On Page 2 of the Office Action dated September 1, 2006, the Examiner rejected Claims 21-23 and 26-31 under 35 U.S.C. 102(b) as anticipated by Purnell and Quackenbush, Design and Develop Airport Security Systems and Related Applications (Purnell et al.). For the reasons given below, the Appellant submits that the Examiner's rejection of Claims 21-23 and 26-31 is improper and should be reversed.

### A. The Examiner's Rejection of Claims 21-23 and 26-31 Under 35 U.S.C. 102(b) Should Be Reversed Because the Reference Does Not Qualify as Prior Art Under 35 U.S.C. 102(b)

Purnell et al. is not prior art under the provisions of 35 U.S.C. 102(b) for at least two reasons. First, on its face, Purnell et al. has a date of April 24, 2001; however, this date is incorrect as evidenced by the fact that Purnell et al., on its face, references the federal Transportation Security Agency (TSA) which, as a matter of public record, did not come into being until after the events of September 11, 2001. As a matter of public record, TSA came into being on November 19, 2001 when President Bush signed an Act of Congress. Thus, the actual date of Purnell et al. is on or after November 19, 2001. November 19, 2001 is less than one year prior to the earliest priority date of the present application, which is October 21, 2002. Prior art under 35 U.S.C. § 102(b) must be "more than one year prior to the date of the application for patent." Therefore, Purnell et al. is not prior art under the provisions of 35 U.S.C. 102(b).

Second, Purnell et al. does not qualify as a printed publication under the provisions of 35 U.S.C. 102. According to 37 C.F.R. § 1.98 (b)(5), "[e]ach publication listed in an information disclosure statement must be identified by publisher, author (if any), title,

Atty. Dkt. No. 035809-0101

relevant pages of the publication, date, and place of publication." No publisher or place of publication is provided by the Examiner in citing Purnell et al. Purnell et al. describes a proposal submitted to the Florida Department of Transportation to provide an airport security system. As a submission to the Florida Department of Transportation, Purnell et al. provides no indication that it was published within the meaning of 35 U.S.C. 102. First, proposals are maintained confidential until at least award of a contract and sometimes for a period thereafter. Second, there is no evidence that Purnell et al. was available to the public or that the proposal was indexed, catalogued, or otherwise classified for ready accessibility to persons outside the Florida Department of Transportation. As such, Purnell et al. is not a printed publication within the meaning of 35 U.S.C. 102.

The Examiner became aware of Purnell et al. during prosecution of U.S. Patent No. 7,079,921, when the reference was submitted in an Information Disclosure Statement (IDS), by the Applicants of U.S. Patent No. 7,079,921. An Applicant of U.S. Patent No. 7,079,921 was a co-author of Purnell et al. and was thus aware of the document. The Examiner first identified Purnell et al. to Appellant in an Office Action mailed November 10, 2005, and first rejected the claims of the Application based on Purnell et al. in an Office Action mailed April 28, 2006. However, the mere fact that the Examiner obtained a copy of Purnell et al. from an author during prosecution of U.S. Patent No. 7,079,921 is not evidence that Purnell et al. was sufficiently accessible, at least to the public interested in the art, to constitute a printed publication. "Mere probability that it was available to the public does not constitute a proper ground for refusing appellants a patent." *Ex parte Deaton and Kirkland*, 146 U.S.P.Q. 549, 551 (Pat. Off. Bd. App. 1965). Thus, no documentation or evidence relative to the availability of Purnell et al. to the public has been provided. "The proponent of the publication bar must show that prior to the critical date the reference was sufficiently accessible, at least to the public interested in the art, ...." *In re Hall*, 781 F.2d 897, 899, 228 U.S.P.Q. 453, 455 (Fed.

Atty. Dkt. No. 035809-0101  
Cir. 1986) (citations omitted). As such, Appellant respectfully requests withdrawal of the rejection.

**B. The Examiner's Rejection of Claims 21-23 and 26-31 Under 35 U.S.C 102(b) Should Be Reversed Because the Reference Does Not Teach or Suggest All Claim Limitations**

To anticipate a claimed invention, each and every element of the claimed invention must be disclosed, either expressly or inherently, in the prior art reference. *In re Spada*, 911 F.2d 705, 708, 15 U.S.P.Q.2d 1655, 1657 (Fed. Cir. 1990). Appellant respectfully submits that Purnell et al. fails to suggest, teach, or disclose all of the recited claim elements of claims 21-23 and 26-31.

Claim 21 recites, with emphasis added through underlining:

providing an outsourcing arrangement for an employee at the remote property to perform both a first service associated with the baggage transportation service and a second service associated with an operation at the remote property, the second service distinct from the first service.

Claim 29 recites, with emphasis added through underlining:

wherein associated with the baggage transportation service is an outsourcing arrangement for an employee at the remote property to perform both a first service associated with the baggage transportation service and a second service associated with an operation at the remote property, the second service distinct from the first.

On page 3 of the Office Action dated 9/1/2006, the Examiner states:

When the passenger is biometrically verified by the employee handling the baggage, security service is rendered. When any traveling directions are given to the passenger by the employee handling the baggage, concierge service is rendered. When any services outside the scope of transporting the baggage are provided by the employee handling the baggage, valet services are rendered.

Appellant respectfully disagrees. Purnell et al. states that "[e]ach passenger will be biometrically authenticated when checking bags. Baggage claim tickets will be printed out and scanned in the presence of the passenger to evidence receipt of the passenger's bags." (Page 2,

Purnell et al., emphasis added through underlining). Thus, a security service is rendered. However, the security service rendered is "associated with the baggage transportation service" and not with "a second service associated with an operation at the remote property," as required by Claims 21 and 29. Therefore, no security service associated with an operation at the remote property is disclosed, taught, or suggested by Purnell et al. Additionally, no concierge service or valet service is disclosed, taught, or suggested by Purnell et al. Such statements by the Examiner are mere conjecture on the part of the Examiner with no basis whatsoever in Purnell et al. Such conjecture is wholly insufficient to support a rejection under 35 U.S.C. 102(b).

Therefore, Purnell et al. fails to disclose, suggest, or teach all of the limitations of Claims 21 and 29. A rejection under 35 U.S.C. 102(b) cannot be properly maintained where the reference used in the rejection does not disclose all of the recited claim elements. Claims 22-28 and 30-31 depend from Claims 21 and 29, respectively. Therefore, Appellant respectfully requests withdrawal of the rejection.

### **III. REJECTION OF CLAIMS 24 and 33-40 UNDER 35 U.S.C. 103(a)**

On page 3 of the Office Action, Claims 24 and 33-40 were rejected under 35 U.S.C. 103(a) as being unpatentable over Purnell et al. For the reasons given below, the Appellant submits that the Examiner's rejection of Claims 24 and 33-40 is improper and should be reversed.

#### **A. The Examiner's Rejection of Claims 24 and 33-40 Under 35 U.S.C. 103(a) Should Be Reversed Because the Reference Does Not Qualify as Prior Art Under 35 U.S.C. 102**

As discussed in Section II.A. above, Purnell et al. is not properly a prior art reference under 35 U.S.C. 102. Thus, for at least this reason, Appellant respectfully requests withdrawal of the rejection.

**B. The Examiner's Rejection of Claims 24 and 33-40 Under 35 U.S.C. 103(a) Should be Reversed Because the Reference Does Not Teach or Suggest All Claim Limitations**

As discussed in Section II.B. above, Purnell et al. fails to teach at least the limitation "an outsourcing arrangement for an employee at the remote property to perform both a first service associated with the baggage transportation service and a second service associated with an operation at the remote property" as required by Claims 21 and 33. Claim 24 depends from claim 21. Claims 34-40 depend from Claim 33. Thus, for at least this reason, Appellant respectfully requests withdrawal of the rejection.

Appellant further respectfully submits that Purnell et al. fails to suggest, teach, or disclose additional claim elements of Claims 24 and 33-40.

Claim 24, which depends from Claim 21, recites:

wherein registering the passenger comprises providing a boarding pass for the passenger.

Claim 33 recites:

printing a boarding pass for the passenger based on the retrieved travel information;

Purnell et al. fails to teach at least the limitations of providing and of printing "a boarding pass for the passenger" as required by Claims 24 and 33, respectively.

On pages 3-4 of the Office Action dated 9/1/2006, the Examiner states:

Purnell et al. ... is silent as to the specifics of printing a boarding pass for the passenger. Nevertheless, it is at least obvious and commonly well known that in order for a passenger to board a commercial aircraft, boarding ticket must me [sic] provided to the passenger. Hence, it is obvious that Purnell et al. would include printing a boarding pass for the passenger.

Appellant agrees that it is well known that in order for a passenger to board a commercial aircraft, a boarding ticket must be provided to the passenger. However, this fact in no way implies that the system of Purnell et al. provides or prints "a boarding pass for the passenger." To the contrary, Purnell et al. states:

The baggage handling system will effectively separate the passenger's baggage from the passenger prior to the check-in process. As a result, passengers will arrive at the airport for their scheduled flight unencumbered by their baggage or the need to check such bags.

(Page 2, Purnell et al., emphasis added through underlining). Thus, Purnell et al. teaches separating baggage from the passenger prior to check-in. However, Purnell et al. nowhere teaches that check-in at the airport is not required. Purnell et al. also nowhere teaches that check-in as part of the baggage handling system is performed. Furthermore, a different printing device is required to print a boarding pass than to print baggage claim tickets. Because the system taught by Purnell et al. travels to the passenger at "the passenger's home, place of business or hotel room" (page 2, Purnell et al.), an additional printer for a boarding pass is required which significantly increases the system complexity, size, and cost. Purnell et al. fails to contemplate such a system modification because the focus of Purnell et al. is on a baggage handling system and not on a remote check-in system.

Therefore, Purnell et al. fails to disclose, suggest, or teach all of the limitations of Claims 24 and 33. A rejection under 35 U.S.C. 103(a) cannot be properly maintained where the reference used in the rejection does not disclose all of the recited claim elements. Claims 34-40 depend from Claim 33. Therefore, Appellant respectfully requests withdrawal of the rejection.

### CONCLUSION

In view of the foregoing discussion and arguments, Appellant respectfully submits that Claims 21-23 and 26-31 are not properly rejected under 35 U.S.C. 102(b) as being anticipated by Purnell et al. Appellant also respectfully submits that Claims 24 and 33-40 are not properly rejected under 35 U.S.C. 103(a) as being unpatentable over Purnell et al. Accordingly,

Appellant respectfully requests that the Board reverse all claim rejections and indicate that a Notice of Allowance respecting all pending claims should be issued.

Respectfully submitted,

By



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CLAIMS APPENDIX

1.-20. (Canceled)

21. (Previously Presented) A method for managing the transportation of baggage for passengers of a common carrier, the method comprising:

providing a baggage transportation service at a remote property, the remote property being remote from a transportation center, the baggage transportation service including

receiving travel information for a passenger at the remote property via a communications network, the travel information including departure information for a departure from the transportation center;

producing identification including the received departure information for baggage of the passenger, the baggage to be transported to the transportation center; and

transporting the baggage to the transportation center; and

providing an outsourcing arrangement for an employee at the remote property to perform both a first service associated with the baggage transportation service and a second service associated with an operation at the remote property, the second service distinct from the first service.

22. (Original) The method of claim 21, wherein receiving travel information for a passenger via a communications network comprises accessing a remote server from a kiosk.

23. (Previously Presented) The method of claim 21, wherein the baggage transportation service further includes registering the passenger for the travel based on the received travel information.

24. (Previously Presented) The method of claim 23, wherein registering the passenger comprises providing a boarding pass for the passenger.

25. (Original) The method of claim 21, wherein producing identification for baggage of the passenger comprises providing baggage identification labels including an identification bar code.

26. (Original) The method of claim 21, wherein receiving travel information for a passenger at the remote property via a communications network comprises accessing travel information from a server via an interface common to a plurality of common carriers.

27. (Previously Presented) The method of claim 21, wherein the second service is selected from the group consisting of a bellhop service, a valet service, and a parking garage service.

28. (Previously Presented) The method of claim 21, wherein the second service is selected from the group consisting of a concierge service, a check-out service, a security service, or a room service.

29. (Previously Presented) A computer-based baggage transportation system comprising:

a server computer including travel information for a plurality of common carriers;

a client computer coupled via a network to the server computer, the client computer being configured to check in baggage and passengers from a property that is remote from a common carrier departure location; and

a baggage pick-up facility at the remote property for performing a baggage transportation service, wherein associated with the baggage transportation service is an outsourcing arrangement for an employee at the remote property to perform both a first service associated with the baggage transportation service and a second service associated with an operation at the remote property, the second service distinct from the first.

30. (Previously Presented) The system of claim 29, wherein the property is a hotel and the second service is selected from the group consisting of a bellhop service, a valet service, and a parking garage services.

31. (Original) The system of claim 29, wherein the client computer is part of a kiosk.

32. (Canceled)

33. (Previously Presented) In a remote baggage and passenger check-in system, a method comprising:

(a) obtaining passenger identification information for a passenger;

(b) using the passenger identification information, retrieving travel information for the passenger from a server computer;

(c) printing a boarding pass for the passenger based on the retrieved travel information;

(d) printing a baggage identification label for passenger baggage at a property remote from a common carrier departure location;

(e) obtaining possession of the passenger baggage from the passenger at the remote property to conduct a baggage transportation service, wherein associated with the baggage transportation service is an outsourcing arrangement for an employee at the remote property to perform both a first service associated with the baggage transportation service and a second service associated with an operation at the remote property, the second service distinct from the first service;

(f) securely transporting the passenger baggage from the remote property to the common carrier departure location; and

(g) transferring possession of the passenger baggage to the common carrier.

34. (Original) The method of claim 33, wherein operations (a), (b), (c), and (d) are performed at a kiosk.

35. (Original) The method of claim 33, wherein retrieving travel information for the passenger from a server computer comprises accessing travel information using common use terminal equipment.

36. (Original) The method of claim 33, further comprising accessing a server to register a passenger and obtain a boarding pass.

37. (Original) The method of claim 33, wherein the retrieved travel information includes information on an airline flight, wherein the airline flight is schedule to depart the common carrier departure location less than twelve hours from when the passenger transfers possession of the passenger baggage as part of the baggage transportation service at the remote property.

38. (Original) The method of claim 33, further comprising presenting a user interface configured to provide access to common carrier information for a plurality of common carriers.

39. (Previously Presented) The method of claim 33, wherein the second service is selected from the group consisting of a bellhop service, a valet service, and a parking garage service.

40. (Previously Presented) The method of claim 33, wherein the second service is selected from the group consisting of a concierge service, a check-out service, a security service, or a room service.

**EVIDENCE APPENDIX**

Appellant is not relying on any evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132.

**RELATED PROCEEDINGS APPENDIX**

There are no related proceedings.